

MORGAN, LEWIS & BOCKIUS LLP  
Michael J. Lawson (Bar No. 66547)  
John H. Hemann (Bar No. 165823)  
Sheila A. Jambekar (Bar No. 239101)  
One Market  
Spear Street Tower  
San Francisco, CA 94105  
Tel: (415) 442-1000  
Fax: (415) 442-1001

ERNST & YOUNG LLP  
Bruce M. Cormier  
Joel E. Bonner (Bar No. 105492)  
1225 Connecticut Avenue, NW  
Washington, D.C. 20036  
Tel: (202) 327-7603  
Fax: (202) 327-7601

Attorneys for Defendant  
ERNST & YOUNG LLP

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ADRIAN MONGELI, Individually, And  
On Behalf Of All Others Similarly Situated,

Plaintiff,

v.

TERAYON COMMUNICATIONS  
SYSTEMS, INC., ZAKI RAKIB, JERRY D.  
CHASE, MARK A. RICHMAN, EDWARD  
LOPEZ, RAY FRITZ, CAROL  
LUSTENADER, MATTHEW MILLER,  
SHLOMO RAKIB, DOUG SABELLA,  
CHRISTOPHER SCHAEPE, MARK  
SLAVEN, LEWIS SOLOMON, HOWARD  
W. SPEAKS, ARTHUR T. TAYLOR,  
DAVID WOODROW, and ERNST &  
YOUNG LLP,

Defendants.

Case No. 3-06-CV-03936 MJJ

**CLASS ACTION**

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
REGARDING HEARING DATE FOR  
DEFENDANTS' MOTIONS TO DISMISS**

Dept.: Courtroom 11  
Judge: Hon. Martin J. Jenkins  
Action Filed: June 23, 2006

1 WHEREAS, on October 3, 2007, the Clerk of the Court issued a notice continuing the  
2 hearing for Defendants' Motions to Dismiss Lead Plaintiff's Amended Class Action Complaint  
3 for Violations of the Federal Securities Laws;

4 WHEREAS, lead trial counsel for Defendant Ernst & Young LLP will be unavoidably  
5 out of the country on October 25, 2007, and therefore, unable to attend the hearing on October 25,  
6 2007;

7 WHEREAS, the Lead Plaintiff, Defendant Terayon Communication Systems, Inc., and  
8 the Individual Defendants wish to accommodate the schedule of lead trial counsel for Defendant  
9 Ernst & Young LLP;

10 WHEREAS, Defendant Terayon Communication Systems, Inc. and the Individual  
11 Defendants have requested that its Motion to Dismiss be taken off calendar, but the Court has not  
12 yet acted upon that request;

13 WHEREAS, counsel for all parties are available for the hearing on Defendants' Motions  
14 to Dismiss on November 20, 2007, at 9:30 a.m.;

15 WHEREAS, the parties agree to continue the hearing for Defendants' Motions to  
16 Dismiss to November 20, 2007, at 9:30 a.m., with the understanding that Defendant Terayon  
17 Communication Systems, Inc.'s and the Individual Defendants' Motion to Dismiss may be taken  
18 off calendar before that date;

19 NOW THEREFORE, it is hereby STIPULATED and AGREED, subject to Court  
20 approval, that:

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22  
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1 1. The hearing for Defendants' Motions to Dismiss Lead Plaintiff's Amended Class  
2 Action Complaint for Violations of the Federal Securities Laws currently scheduled for October  
3 25, 2007, at 9:30 a.m. before the Honorable Martin J. Jenkins, United States District Court,  
4 Northern District of California, San Francisco Division, Courtroom 11, 19th Floor, is hereby  
5 continued to November 20, 2007, at 9:30 a.m.

6 IT IS SO STIPULATED.

7 Dated: October 5, 2007

MORGAN, LEWIS & BOCKIUS LLP

8 By /S/

9 John H. Hemann

**Counsel for Defendant Ernst & Young LLP**

10 Dated: October 5, 2007

LATHAM & WATKINS LLP

11 By /S/

12 Patrick E. Gibbs

140 Scott Drive

Menlo Park, CA 94025

13 Tel: (650) 328-4600

Fax: (650) 463-2600

**Counsel for Defendant Terayon**

**Communication Systems, Inc. and Individual**  
**Defendants**

16 Dated: October 5, 2007

BRAUN LAW GROUP, P.C.

17 By /S/

18 Michael D. Braun

12400 Wilshire Blvd., Suite 920

Los Angeles, CA 90025

19 Tel: (310) 442-7755

Fax: (310) 442-7756

**Liaison Counsel for Plaintiff and the Class**

~~PROPOSED~~ ORDER

Upon the Stipulation of the parties, and for good cause appearing,

IT IS HEREBY ORDERED THAT:

Defendant Ernst & Young LLP's Motion

1. The hearing for ~~Defendants' Motions~~ to Dismiss Lead Plaintiff's Amended Class Action Complaint for Violations of the Federal Securities Laws currently scheduled for October 25, 2007, at 9:30 a.m. before the Honorable Martin J. Jenkins, United States District Court, Northern District of California, San Francisco Division, Courtroom 11, 19th Floor, is hereby continued to November 20, 2007, at 9:30 a.m.

Dated: 10/16, 2007

